

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-18 are pending in this application. Claims 1, 6, 12 and 14, which are independent, are hereby amended. Support for this amendment is provided throughout the Specification as originally filed, specifically at paragraphs [0113-0115]. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

### **II. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 1-5 and 12-18 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,601,041 to Brown, et al. (hereinafter, merely “Brown”) in view of U.S. Patent No. 5,778,346 to Frid-Nielsen, et al. (hereinafter, merely “Frid-Nielsen”) and further in view of U.S. Patent No. 6,603,857 to Batten-Carew, et al. (hereinafter, merely “Batten-Carew”) and further in view of U.S. Patent No. 6,493,722 to Daleen, et al. (hereinafter, merely “Daleen”) and further in view of U.S. Patent No. 5,996,007 to Klug, et al. (hereinafter, merely “Klug”).

Claims 6-11 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Brown in view of U.S. Publication No. 2001/0047298 to Moore, et al. (hereinafter, merely “Moore”) and further in view of Frid Nielsen and further in view of Batten-Carew and further in view of Klug.

Claim 1 recites, *inter alia*:

“...an information processing apparatus for receiving and processing the electronic information contents distributed from the information distributing means,

wherein the electronic information contents includes user selected topics and user-selected web pages, and advertisement information related to a region of the user, an age of the user, the topics that the user selected, and the web pages that the user selected,

wherein when an access rate of the electronic information contents increases, advertisement income is projected, and a price for the service is decreased...” (Emphasis added)

As understood by Applicants, Brown relates to prioritized queues of advertising and content data which are generated by a queue builder and sent to an on-line queue manager. A computer mediated communications network provides content and subscriber data to the queue builder and receives content segment play lists from the on-line queue manager.

As understood by Applicants, Frid-Nielsen relates to a method for reconciling two sets of information on an information processing system. The method includes loading both sets of data, detecting the current date, building a new list for each set of data, synchronizing the lists (typically, according to time), and displaying the synchronized lists.

As understood by Applicants, Moore relates to providing metadata-selected advertisements. The systems and methods may receive metadata and other media, select an object, read metadata attached to or associated with the selected object, select an advertisement based on the metadata, and display the selected advertisement.

As understood by Applicants, Batten-Carew relates to controlling release of time-sensitive information at a specific future time which only becomes active once the specific future time has passed. When the specific future time has passed, a server releases the access information such that an end-user or end-users may utilize the access information to obtain time-sensitive information. The access information may be a random number which can be used to calculate a decryption key and an encryption key.

As understood by Applicants, Daleen relates to distributing messages from a third party to a group of subscribers by using subscriber information and subscriber preferences stored in a database so that the group of subscribers can form a community to negotiate a group purchase of a good or service from a third party.

As understood by Applicants, Klug relates to proving selected content during waiting time on the internet.

Applicants submit that Brown, Moore, Frid-Nielson, Batten-Carew, Daleen and Klug, taken either alone or in combination, do not teach or suggest the above identified features of claim 1.

Specifically, Brown, Moore, Frid-Nielson, Batten-Carew, and Daleen fail to teach or suggest an information processing apparatus for receiving and processing the electronic information contents distributed from the information distributing means, wherein the electronic information contents includes user selected topics and user-selected web pages, and advertisement information related to a region of the user, an age of the user, the topics that the user selected, and the web pages that the user selected, as recited in independent claim 1.

Indeed, Applicants submit that the cited portions of Klug, specifically column 6, lines 22-53, disclose a user choosing to participate in a waiting time message program by responding to a prompt and filling out a questionnaire regarding age, product preference, lifestyle, and income or choosing to answer questions related to a different message preference matrix. Applicants submit that answering a questionnaire does not teach or suggest user selected topics and user-selected web pages, and advertisement information related to a region of the user, an age of the user, the topics that the user selected, and the web pages that the user selected, as claimed in claim 1. Applicants respectfully submit that Klug fails to provide the disclosure missing from the other-cited references for the claimed feature of user-selected topics, web pages and associated advertisement information.

Furthermore, none of the references used as a basis of rejection teach or suggest adjusting a price of service, which is claimed in claim 1 as, “wherein when an access rate of the electronic information contents increases, advertisement income is projected, and a price for the service is decreased”. Absent any disclosure of this feature, claim 1 is patentable.

Applicants submit that such disclosure does not render claim 1 unpatentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claims 6, 12 and 14 are also patentable.

Therefore, Applicants submit that independent claims 1, 6, 12 and 14 are patentable.

### **III. DEPENDENT CLAIMS**

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same

reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

### **CONCLUSION**

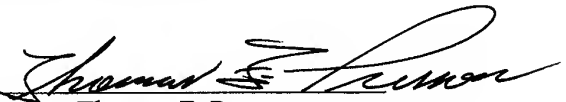
In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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